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*Testimony of Eric Hammerling, Executive Director, Connecticut Forest & Park Association*

Public Hearing Subject Matter	Position
<b>RAISED BILL 5220:</b> AN ACT CONCERNING A PROPERTY OWNER’S LIABILITY FOR THE EXPENSES OF REMOVING A FALLEN TREE OR LIMB.	Oppose

Co-Chairs Coleman, Fox and Members of the Judiciary Committee:

The Connecticut Forest & Park Association (CFPA) is the first conservation organization established in Connecticut (1895). CFPA has offered testimony before the Legislature on issues such as sustainable forestry, state parks and forests, trail recreation, natural resource protection, and land conservation for over 115 years.

**Today, I am here to testify in opposition to Raised Bill 5220.** There are several reasons to oppose this bill:

1. This bill is unnecessary. Municipal tree wardens, the front lines in every community on tree management issues, already advise landowners to work together with an arborist to conduct tree risk management if circumstances require. You don’t need to legislate this.
2. This bill is biased because it would provide unfair leverage to neighbors able to afford an arborist determination, and work against landowners who can’t afford to either hire an arborist to give a second opinion, or to pay the expenses associated with tree or limb removal.
3. The language in Raised Bill 5220 is too loose, in particular the determination by the arborist of whether a tree or limb is “likely to fall.” This determination is certainly subjective and debatable amongst arborists, and there is no option available to the private landowner with the tree/limb on their property to contest the finding of the arborist hired by the adjoining landowner.
4. Raised Bill 5220 is unfairly stacked against a landowner who may own forest land involving many boundaries with neighbors. Removal of trees and limbs can be quite expensive, and the liability associated with these trees can compel a landowner with a large forested property to remove trees (that provide considerable societal benefits) prematurely.

For the most part, neighbor-to-neighbor squabbles over boundary trees can and should be worked out by neighbors in an amicable fashion that fits the local conditions, not in a way that can quickly become litigious and drive wedges between neighbors. Again, I urge you to oppose Raised Bill 5220.

Thank you for the opportunity to testify. I would be glad to respond to any questions you may have.